



Los Angeles Regional Water Quality Control Board

January 31, 2014

Mr. Brian G. Anderson
Director Government and Environmental Affairs
Vulcan Materials Company
500 North Brand Boulevard, Suite 500
Glendale, CA 91203

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Claim No. 7012 3460 0000 2166 2136

CALIFORNIA WATER CODE SECTION 13267 ORDER (NO. R4-2014-0007) TO SUBMIT INFORMATION – HEWITT PIT LANDFILL, NORTH HOLLYWOOD, CALIFORNIA (FILE NOS. 58-191; CI-2180)

Dear Mr. Anderson:

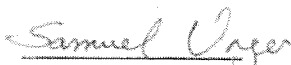
The California Regional Water Quality Control Board, Los Angeles Region (Regional Board), is the public agency with primary responsibility for the protection of ground and surface water quality within major portions of Los Angeles and Ventura Counties, including the referenced site.

As part of our effort to protect water quality, pursuant to California Water Code (CWC) § 13267, the Regional Board is investigating surface and ground water impacts associated with the continued existence of the Hewitt Pit Landfill, North Hollywood, California.

The Regional Board requires the information as set forth in the attached Investigative Order No. R4-2014-0007 to evaluate potential threats to surface and ground water.

If you have any questions or need additional information, please contact Mr. Douglas Cross (Project Manager) at (213) 620-2246 or dcross@waterboards.ca.gov, or Dr. Wen Yang (Chief of Land Disposal Unit) at (213) 620-2253 or wyang@waterboards.ca.gov.

Sincerely,


Samuel Unger, P.E.
Executive Officer

Enclosures

cc: Caleb Shaffer, US Environmental Protection Agency, Region IX, San Francisco
Leslie Graves, Land Disposal Program, State Water Resource Control Board
Martin Perez, California Department of Resources Recycling and Recovery
David Thompson, City of Los Angeles Local Enforcement Agency

Los Angeles Regional Water Quality Control Board

**INVESTIGATIVE ORDER NO. R4-2014-0007 TO PROVIDE A TECHNICAL OR
MONITORING REPORT ON
RELEASE OF POLLUTANTS TO GROUNDWATER**

CALIFORNIA WATER CODE SECTION 13267

**DIRECTED TO CALMAT COMPANY
HEWITT PIT LANDFILL
7245-7361 LAUREL CANYON ROAD
NORTH HOLLYWOOD, CALIFORNIA
(FILE NOS. 58-191; CI-2180)**

The Regional Water Quality Control Board, Los Angeles Region (Regional Board) makes the following findings and issues this Order pursuant to California Water Code (CWC) section 13267.

1. On November 20, 2013, the US Environmental Protection Agency (USEPA) sent a letter to the Regional Board, expressing concerns that the Hewitt Pit Landfill (Landfill) located at 7245-7361 Laurel Canyon Road, North Hollywood, California, may potentially be releasing pollutants that are contributing to groundwater contamination in the area. The letter requests the assistance and cooperation of the Regional Board in the investigation of groundwater contamination in the vicinity of the Landfill.
2. The Landfill is a closed municipal solid waste (MSW) landfill that was operated between 1962 and 1975. It is approximately 58 acres in size and was originally a gravel mining pit owned by Consolidated Rock Products Company (ConRock). Landfill operations were conducted by the Los Angeles By-Products Company, which leased the property from ConRock. CalMat Company (CalMat) doing business as Vulcan Materials Company (Vulcan) merged with ConRock in approximately 1984 and is the current owner of the Landfill property.
3. The Landfill is within a flat lying urbanized alluvial plain where the approximate surface elevation ranges between 750 and 770 feet above mean sea level (amsl). The gravel mine was excavated to a depth of between 130 to 150 feet below ground surface. On December 18, 1958, the Regional Board adopted Resolution No. 58-91 prescribing waste discharge requirements (WDRs) for the operations of the Landfill. The Landfill is not equipped with a liner or leachate collection and removal system. Materials that were permitted to be deposited at the Landfill were limited to ordinary residential and commercial refuse, other decomposable organic refuse, scrap metals, and non-water soluble non-decomposable inert solids. Only solid inert wastes were permitted to be deposited at elevations below the 650 feet amsl contour line.
4. The Landfill was closed and capped with a soil cover in 1975. In 1977, a landfill gas collection and flare system was installed at the site. Over the years, the system has been replaced or rebuilt to control landfill gas migration. Because of land settling and soil being added to maintain the

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cover, there is approximately 25 feet of soil cover over most of the Landfill. The site is currently leased to various tenants with mixed operations including self-storage, RV/boat storage, and auto auction. The closed Landfill is currently not regulated by WDRs adopted by the Regional Board.

5. As required under CWC Section 13273, CalMat submitted a solid waste assessment test (SWAT) proposal for the Landfill on April 1, 1987, completed the test in 1989, and submitted a SWAT report to the Regional Board on July 1, 1989, which was approved by Regional Board staff in a letter dated May 1, 1991. The SWAT report indicated that the Landfill was leaking waste constituents, although at levels lower than drinking water maximum contamination levels (MCLs), and might be affecting groundwater in the vicinity. In the Regional Board's SWAT approval letter, CalMat was directed to sample all groundwater monitoring wells at the site annually and submit monitoring data for various inorganic constituents to the Regional Board. On June 25, 1992, CalMat submitted the "1991 Annual Report" for groundwater monitoring at the Landfill to the Regional Board. The report concluded that landfill gas might have been affecting the local groundwater quality, although the constituent levels were below MCLs.
6. The Landfill lies within the North Hollywood Operable Unit (NHOU) of the USEPA San Fernando Valley Superfund Site (Area 1). On September 22, 1988, USEPA issued a joint letter with the Los Angeles Department of Water and Power (LADWP) to CalMat requesting information about the Landfill, including the operations, types of waste ever received and groundwater monitoring data. The Landfill was identified as a potentially responsible party for the NHOU.
7. On August 17, 1995, USEPA issued a letter to CalMat requesting access to the Landfill to conduct groundwater and soil vapor sampling. The letter stated that USEPA was conducting a Basin-wide Remedial Investigation/Feasibility Study (RI/FS) in the San Fernando Valley to determine both the sources and extent of groundwater contamination for groundwater remediation.
8. CalMat joined a Partial Consent Decree with USEPA in 1996 for the implementation of an interim remedy. The interim remedy consists of extracting and treating volatile organic compounds (VOCs) via the NHOU extraction and treatment system, and delivery of the treated groundwater to the City of Los Angeles's potable water supply.
9. On February 10, 2006, USEPA issued a combined request letter, jointly with the Regional Board, to CalMat requesting quarterly monitoring of the groundwater monitoring wells at the Landfill. CalMat submitted groundwater monitoring reports to USEPA in 2006 and 2007 that documented groundwater monitoring data collected from three groundwater monitoring wells at the Landfill. Data collected during this monitoring events indicated that trichloroethylene (TCE), tetrachloroethylene (PCE), 1,1-dichloroethane (1,1-DCA); manganese, and nitrate were present in groundwater at concentrations greater than their respective MCLs. In 2008, the US EPA entered into a Settlement Agreement for Recovery of Response Costs with CalMat and three other settling parties.
10. Groundwater monitoring data submitted to USEPA indicate that VOCs and 1,4 Dioxane have been detected in the groundwater monitoring wells near the Landfill. Groundwater produced from the LADWP's Rinaldi-Toluca well field, 500 to 1,000 feet east of the landfill, and the North Hollywood West well field, about 2,000 feet south of the landfill, has been impacted by VOCs and other emerging contaminants.

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11. A technical memorandum submitted to USEPA by MWH Americas, Inc., (MWH, a consultant firm), dated November 29, 2012, concluded that the Landfill is a probable, significant cause of the VOCs contamination observed in downgradient wells. In addition, the technical memorandum indicated that the two downgrading monitoring wells (4909C and 4909F) at the eastern boundary of the Landfill were incorrectly located, because the groundwater flow at the site is predominantly southeast to southwest and that a better placement of the wells would have been along the southern boundary of the site. A Facility Summary Memorandum for the Landfill, dated January 2, 2013, also prepared by MWH, summarized groundwater conditions at the Landfill and identified potential data gaps.
12. On January 11, 2013, Vulcan submitted a letter requesting Regional Board staff's approval of the decommissioning and replacement of one existing groundwater monitoring well and the installation of two new groundwater monitoring wells as part of an assessment of groundwater quality at the Landfill. Regional Board staff informed Vulcan that a Report of Waste Discharge (ROWD), that includes updated information of the Landfill, should be submitted to the Regional Board in order for Regional Board staff to determine whether the proposed action should be approved. So far, such a ROWD has not been submitted to the Regional Board.
13. Based on the above findings, the Regional Board determines that a thorough assessment of the groundwater quality at the Landfill is warranted to determine whether the Landfill has caused pollution or poses a threat to the groundwater at the site. As the owner and operator of the closed Landfill, CalMat is responsible for the investigation of the discharges of waste from the Landfill .
14. CWC section 13267(b)(1) states, in part: *In conducting an investigation. . . , the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or, discharging, or who proposes to discharge waste within its region . . . shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.*
15. This Order requires the persons named herein to prepare and submit technical reports in order to evaluate the conditions at the Landfill and to determine if any discharges of waste has impacted, or threaten to impact, groundwater quality in the area. You are expected to submit a complete report as required by this Order, to the Regional Board. The Regional Board may reject the report if it is deemed incomplete under this Order.
16. The Regional Board needs this information in order to determine whether a discharge of waste to groundwater has occurred or is occurring from the Landfill.
17. The burdens, including costs, of the report bear a reasonable relationship to the need for the report and the benefits to be obtained from the report. The information is necessary to identify sources of discharges of waste and to protect groundwater quality, which may be impacted due to discharges of waste from the Landfill.
18. The issuance of this Order is an enforcement action by a regulatory agency and is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to

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section 15321(a)(2), chapter 3, title 14 of the California Code of Regulations (CCR). This Order requires submittal of technical and/or monitoring reports and work plans. The proposed activities under the work plans are not yet known. It is unlikely that implementation of the work plans associated with this Order could result in anything more than minor physical changes to the environment. If the implementation may result in significant impacts on the environment, the appropriate lead agency will address the CEQA requirements prior to implementing any work plan.

19. Any person aggrieved by this action of the Regional Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with CWC section 13320 and CCR, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

THEREFORE, IT IS HEREBY ORDERED that CalMat, pursuant to section 13267(b) of the California Water Code, is required to submit a technical report to the Regional Board, by April 30, 2014, that includes the following:

1. A description of historical and current activities at the Landfill, including site conditions prior to landfill operations, waste disposal practices during the active life of Landfill, the types and volume of wastes received during its operation, how the final cover was constructed, all land uses after final closure, post closure maintenance activities, and any Best Management Practices (BMPs) that have been applied at the site to prevent the pollution of ground and surface water resources;
2. A description of any groundwater monitoring wells and lysimeters at the Landfill, including the locations, construction information (i.e. total depth, depth of perforations, well diameter, and boring logs), and the current conditions of such wells;
3. A summary of all groundwater monitoring activities conducted at the site, including any groundwater monitoring data collected after 2007 that has not been submitted to the Regional Board, and an evaluation of all existing groundwater monitoring data to determine whether the Landfill has discharge waste to groundwater and caused, or threatens to cause, pollution;
4. A description of the current landfill gas monitoring and controlling measures at the Landfill, including an evaluation of whether the groundwater quality has been impacted by landfill gas released from the Landfill; and
5. Propose a groundwater monitoring program, for the approval by the Executive Officer, to continue groundwater monitoring of the Landfill and include a schedule for implementation. The groundwater monitoring program shall include a description of local geology and hydrogeology conditions and a conceptual model that demonstrates the relations between the waste mass, the surrounding native geological materials, the underlain groundwater aquifer, and locations of groundwater monitoring wells. The

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groundwater monitoring network shall be capable of determining groundwater quality upgradient and downgradient of deposited wastes. If necessary, new groundwater monitoring wells shall be proposed. The constituents of concerns (COCs) monitored in the program shall include all chemicals that may be, or have been, discharged from the Landfill and impact water quality.

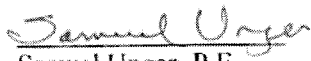
Pursuant to 13268(a) of the CWC, any person who fails to submit reports in accordance with the Order is guilty of a misdemeanor. Pursuant to section 13268(b)(1) of the CWC, failure to submit the required technical report described above by the specified due date(s) may result in the imposition of administrative civil liability by the Regional Board in an amount up to one thousand dollars (\$1,000) per day for each day the technical report is not received after the above due date. These civil liabilities may be assessed by the Regional Board for failure to comply, beginning with the date that the violations first occurred, and without further warning.

The State Water Resources Control Board adopted regulations (CCR, title 23, division 3, chapter 30 and CCR, title 27, division 3) requiring the electronic submittal of information (ESI) for all site cleanup programs, starting January 1, 2005. Currently, all of the information on electronic submittals and GeoTracker contacts can be found at http://www.waterboards.ca.gov/ust/electronic_submittal. To comply with the above referenced regulation, you are required to upload all technical reports, documents, and well data to GeoTracker by the due dates specified in Regional Board letters and orders issued to you or for the site. However, we may request that you submit hard copies of selected documents and data to the Regional Board in addition to electronic submittal of information to GeoTracker. For your convenience, the GeoTracker Global ID for this site is T10000004448.

The Regional Board, under the authority given by CWC section 13267, subdivision (b)(1), requires you to include a perjury statement in all reports submitted under the 13267 Order. The perjury statement shall be signed by a senior authorized representative for CalMat (not by a consultant). The perjury statement shall be in the following format:

"I, [NAME], certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision, in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

SO ORDERED.


Samuel Unger, P.E.
Executive Officer